

**REMARKS**

This response responds to the Office Action dated February 6, 2008, in which the Examiner rejected claims 1-6 under 35 U.S.C. § 103.

Claims 1 and 5 claim an image pick-up device comprising an image signal pick-up means/portion frame-addition processing means/portion, frame rate conversion means/portion and signal generation means/portion. The image pick-up device picks up an image signal with a varied frame rate. The frame-addition processing means/portion generates a first image signal, from the variable frame rate pick-up image signal, with a selected/desired output frame rate. The frame rate conversion means/portion converts a frame rate of a second image signal, supplied from an outside to the output frame rate of the first image signal. The signal generating means generates a monitor image signal using the first and second image signals.

By having a frame rate conversion means convert a frame rate of an input second image signal into the output frame rate of a first image signal as claimed in claims 1 and 5, the claimed invention provides an image pick-up device in which the variable frame rate image pick-up device can accept an external input video signal whose frame rate is different from an output frame rate of the pick-up device. The prior art does not show, teach or suggest the invention as claimed in claims 1 and 5.

Claims 1-2 and 5-6 were rejected under 35 U.S.C. § 103 as being unpatentable over *Bean, et al.* (U.S. Publication No. 2003/0146981), in view of *Tonomura* (JP Ref. 11-177930).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be

set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Bean, et al.* appears to disclose a variable frame rate trigger 128 operated by a user to vary the (input) frame rate of video while video is being captured [0021]. When played at a constant playback speed, the playback frame rate varies as a function of the capture frame rate [0023].

Thus, *Bean, et al.* only discloses that the output frame rate corresponds to the input frame rate. Nothing in *Bean, et al.* shows, teaches or suggests (a) a second image signal supplied from the outside and (b) converting a frame rate of an outside (external) second image signal to the output frame rate of a (input/captured) first image signal as claimed in claims 1 and 5. Rather, *Bean, et al.* merely discloses that the playback frame rate coincides with the capture frame rate.

*Tonomura* appears to disclose if the driving timing of the CCD imager 1 and the writing timing of the recording reproducing section 3 are made into a 3X frame rate and a time of the reproduction from the recording reproduction section 3 is made into a 1X frame rate, the picture output to the latter part turns into a slow motion image with which the time-axis was elongated three times from the video output terminal 8 [0016].

Thus, *Tonomura* merely discloses how to record at a first speed and reproduce the recorded signal at a second speed in order to show slow motion. Nothing in *Tonomura* shows, teaches or suggests converting a frame rate of an outside (external) second image signal into an output frame rate of a (captured/input) first image signal as claimed in claims 1 and 5. Rather, *Tonomura* merely discloses how to replay a signal stored at one frame rate, and replayed at a second frame rate in order to turn the output picture into a slow motion image.

A combination of *Bean, et al.* and *Tonomura* would merely suggest to have the user select the various input capture frame rates as taught by *Bean, et al.* and to output the captured images at a different frame rate as taught by *Tonomura*. Thus, nothing in the combination of the references shows, teaches or suggests (a) an outside (external) second image signal and (b) converting the frame rate of the outside second image signal into the output frame rate of the (input/captured) first image signal as claimed in claims 1 and 5. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 1 and 5 under 35 U.S.C. § 103.

Claims 2 and 6 depend from claims 1 and 5 and recite additional features. Applicant respectfully submits that claims 2 and 6 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Bean, et al.* and *Tonomura* at least for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 2 and 6 under 35 U.S.C. § 103.

Claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over *Bean, et al.*, in view of *Tonomura*, and further in view of *De Meerleer* (U.S. Patent Non. 6,848,792). Claim 4 was rejected under 35 U.S.C. § 103 as being unpatentable over *Bean, et al.*, in view of *Tonomura* and further in view of *Torres, et al.* (U.S. Patent No. 6,738,075).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in the combination of *Bean, et al.* and *Tonomura* show, teach or suggest the primary features as claimed in claim 1, Applicant respectfully submits that the combination of the primary references with the secondary references to *De Meerleer* and *Torres, et al.* will not overcome the deficiencies of the primary references. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 3 and 4 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicant respectfully requests the Examiner enters this amendment for purposes of appeal.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 05-0320.

Respectfully submitted,

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